

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MARK WODJA,

Plaintiff,

Case No. 08-14015

v.

HONORABLE DENISE PAGE HOOD

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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ORDER ACCEPTING REPORT AND RECOMMENDATION

I. INTRODUCTION

This matter is before the Court on Magistrate Judge Virginia M. Morgan's Report and Recommendation dated July 15, 2009. On February 12, 2009, Plaintiff filed a Motion for Summary Judgment. The Defendant filed its Motion for Summary Judgment on March 12, 2009. Magistrate Judge Morgan issued a Report and Recommendation recommending that the Court grant the Defendant's Motion for Summary Judgment and deny the Plaintiff's Motion for Summary Judgment. Neither party has filed objections to the Magistrate Judge's Report and Recommendation.

The standard of review to be employed by the Court when examining a Report and Recommendation is set forth in 28 U.S.C. § 636. This Court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). This Court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate." *Id.*

Upon review of the parties' Motions for Summary Judgment, the administrative record, and the Magistrate Judge's Report and Recommendation, the Court finds that the Magistrate Judge

correctly concluded that the Administrative Law Judge's determination that Plaintiff is not entitled to social security disability benefits is supported by substantial evidence in the record.

Accordingly,

IT IS ORDERED that the Report and Recommendation of Magistrate Judge Virginia M. Morgan [**Docket No. 13**] dated July 15, 2009, is ACCEPTED and ADOPTED as this Court's findings and conclusions of law.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment [**Docket No. 11, filed March 12, 2009**] is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment [**Docket No. 9, filed February 12, 2009**] is DENIED.

IT IS FURTHER ORDERED that this cause of action is DISMISSED WITHOUT PREJUDICE.

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: October 30, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 30, 2009, by electronic and/or ordinary mail.

S/William F. Lewis
Case Manager